

Patent  
244/067 (prev. 6646-130N5)

*not clear what 'formats' are relating to with respect to the remainder of the claim limitations which follow nor is it clear as to the execution thereof."*

Applicant submits that the recited steps and means do execute formats in association with the communication facility. In a Markman ruling on related parent patents, the Court construed the term "format" to mean: a computer program that sets forth the content and sequence of steps to gather information from and carry information to callers through pre-recorded voice prompts and messages." Applicant submitted a copy of the Markman ruling with the Supplemental Information Disclosure Statement submitted on May 22, 2001. The Markman Ruling indicates the Court's detailed analysis before arriving to the above definition.

In any event, Applicant has amended the preamble of the claims to further clarify that claims 16, 30, and 41 are directed to a process, system, or method that determine the acceptability of the calls and execute at least certain operations of telephonic formats. Applicant respectfully requests the Examiner to allow the claims pending in this application. If the Examiner has any outstanding issues with the claims, she is requested to call the undersigned to resolve them.

Respectfully submitted,

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**MARKED VERSION:**

16. (Amended) A process for determining the acceptability of calls and executing certain operations of telephonic formats in association with a communication facility including remote terminal apparatus for individual callers, wherein said remote terminal apparatus includes a telephonic instrument with voice communication means and digital input means in the form of an array of alphabetic, numeric buttons for providing data, said process including the steps of:

receiving associated telephone number signals upon the instance of a call from one of said remote terminal apparatus;

testing said associated telephone number signals with respect to stored negative data to determine the acceptability of said call from said one of said remote terminal apparatus as indicated by an acceptability signal;

accepting said call from said one of said remote terminal apparatus conditioned on said acceptability signal;

interfacing via said communication facility to accepted calls to provide voice signals for cueing callers and receiving responsive digital data in accordance with a select format; and

testing at least certain of the responsive digital data against stored positive data to determine if further voice signals for cueing callers should be provided.

30. (Amended) A system for determining the acceptability of calls and executing certain operations of telephonic formats in association with a communication facility including remote terminal apparatus for individual callers, wherein said remote terminal apparatus includes a telephonic instrument with voice communication means and digital input means in the form of an array of alphabetic, numeric buttons for providing data, said system comprising:

means for receiving associated telephone number signals upon the instance of a call from one of said remote terminal apparatus;

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means for testing said associated telephone number signals with respect to stored negative data to determine the acceptability of said call from said one of said remote terminal apparatus as indicated by an acceptability signal;

means for accepting said call from said one of said remote terminal apparatus conditioned on said acceptability signal;

means for interfacing said communication facility to provide voice signals for cueing callers and receiving responsive digital data in accordance with a select format to accepted calls; and

testing at least certain of the responsive digital data against stored positive data to determine if further voice signals for cueing callers should be provided.

38. (Amended) A system according to claim 30, wherein the stored negative data includes a list of unacceptable numbers.

41. (Amended) A method for determining the acceptability of calls and executing certain operations of telephonic formats in association with a communication facility including remote terminal apparatus for the individual callers, wherein said remote terminal apparatus includes a telephonic instrument with voice communication means and digital input means in the form of an array of alphabetic, numeric buttons for providing data, including the steps of:

receiving associated telephone number signals automatically provided by the communication facility upon the instance of a call from one of said remote terminal apparatus;

testing said associated telephone number signals with respect to stored data to determine the acceptability of said call from said one of said remote terminal apparatus; and

selectively providing one or more cues to said one of said remote terminal apparatus and providing at least one cue depending upon the associated telephone number signals for said call from said one of said remote terminal apparatus in accordance with a select format.